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8 Counsel for Defendant ALAGUNA-CASTANEDA

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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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14 UNITED STATES OF AMERICA,) No. CR-10-0757 JSW
15 Plaintiff,)
16 vs.)
17 JAIME ALAGUNA-CASTANEDA,) **MOTION TO WITHDRAW, REQUEST**
18 Defendant.) **FOR APPOINTMENT OF CJA**
19) **COUNSEL, AND [PROPOSED] ORDER**
20) Court: Hon. Jeffrey S. White
21) Date: April 21, 2011
22) Time: 2:00 PM

23 The above-captioned case is currently on calendar for a change of plea for April 21, 2011.
24 A legal conflict of interest has arisen such that the Federal Public Defender's Office can no
25 longer represent Mr. Alaguna-Castaneda. Details regarding the conflict are set forth in a
26 concurrently-filed declaration of counsel that is being filed *ex parte* under seal. Because of the
nature of the conflict, neither the declaration nor any of its contents should under any
circumstances be divulged to the government or to any other person.

27 The magistrate judge found Mr. Alaguna-Castaneda eligible for appointed counsel based
28 on his financial circumstances when this case began. Mr. Alaguna-Castaneda has been
29 incarcerated throughout the duration of this case and is no more able to afford counsel now than
30 he was when the case began. Undersigned counsel has contacted the administrator of the CJA

1 Panel, who is aware of the conflict and is in the process of finding panel counsel who will be able
2 to accept an appointment on this case. To safeguard Mr. Alaguna-Castaneda's interests and to
3 minimize the disruption that the change in counsel will cause, the Federal Public Defender's
4 Office respectfully requests that this Court authorize the appointment of CJA counsel forthwith.

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6 | Dated: April 6, 2011

Respectfully submitted,

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BARRY J. PORTMAN
Federal Public Defender

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/s/
LOREN D. STEWART
Assistant Federal Public Defender

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[PROPOSED] ORDER

15 For good cause shown, the Federal Public Defender's Office is relieved as counsel in this
16 case. The Court authorizes the appointment of counsel from the Criminal Justice Act Panel.

17 || IT IS SO ORDERED.

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20 || April 7, 2011

DATE

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MOTION TO WITHDRAW AND FOR CJA
APPOINTMENT, CR-10-0757 JSW


HON. JEFFREY S. WHITE
United States District Judge